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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,811	09/30/2003	Thomas Chadzelek	09700.0055-00	3078
22852 7590 01/10/2008 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER AUGUSTINE, NICHOLAS	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 01/10/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/676,811

Applicant(s)

CHADZELEK ET AL.

Examiner

Nicholas Augustine

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- A. This action is in response to the following communications: Request for Continued Examination filed: 10/17/2007. This action is made **non-final**.
 - B. Claims 1-15 remain pending.
 - C. Objections made in the previous action are withdrawn due to amendment.
 - D. Claim Rejections under 35 U.S.C. 101 are withdrawn due to amendment.
-

Continued Examination Under 37 CFR 1.114

- E. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/17/2007 has been entered.

Claim Rejections - 35 USC § 102

- 1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3,7-9 and 13-15 rejected under 35 U.S.C. 102(b) as being anticipated by Karp et al ("Windows XP in a Nutshell" – 4/2002).

Note: Supplemental screen captures are included with the resulting functions and action as taught by Karp.

Note: Supplemental references are provided to depict what was commonly known in the art of Windows XP as taught by Karp.

- A. (http://www.delphi3000.com/articles/article_1667.asp?SK=)
- B. ([http://en.wikipedia.org/wiki/Container_\(data_structure\)#Graphic Containers](http://en.wikipedia.org/wiki/Container_(data_structure)#Graphic_Containers))
- C. ([http://en.wikipedia.org/wiki/Windows shell](http://en.wikipedia.org/wiki/Windows_shell))

As for independent claims 1,7 and 13, Karp teaches a method for navigating user interface elements, the method and corresponding computer program product and system comprising: grouping user interface elements of a user interface of a computer program application into groups based on a hierarchical arrangement of the user interface elements, the hierarchical arrangement allowing for sibling groups and parent groups; and detecting a user navigation input comprising a sibling navigation input or a parent navigation input, the sibling navigation input comprising a first group identifier key press, and the parent navigation input comprising a second group identifier key press; if the detected navigation input is the sibling navigation input, shifting input focus to a next sibling group in the hierarchy; and if the detected navigation input is the parent navigation input, shifting input focus to a parent group in the hierarchy (pg.557,par.2;

pg.559 (Alt-Tab(+Tab)); pg.558 (Alt-x); and screen captures figures 2-3. As seen in figure two when the user presses ALT on the keyboard this navigation control corresponds to the first group of control elements as indicated by under scoring letters of controls (file, edit, insert, format, tools, window, help) therefore the ALT key is correlated with a group identifier to relate to the group of controls. The ALT key being that of the parent navigation control where ALT is combined with a letter (X) that corresponds to a control UI element. A sibling navigation key being an arrow key on the keyboard to navigation control UI elements inside of a group of controls. The second group identifier is defined when the user selects a parent control from the parent group, for example when the user presses the key combination ALT+T it is identified with the control group that consist of the control elements (Spelling and grammar, language, word count, auto summarize, etc...) thus making a group identifier as indicated by the figure and explained by Karp (pages 557-558). So in summarization Karp teaches of navigational controls wherein parent navigational controls when activated are identified as having a group of sibling control UI elements and sibling navigational controls, which are identified by the parent navigational control groups. Thus therefore when the user activates a parent control to display sibling control group the group identification is evident or else a random menu or crossed menus (file control is activated and tools sibling group is displayed) would be displayed if there were not any identification means included.).

As for dependent claims 2,3,8,9,14 and 15, Karp teaches the method of claim 1, further

comprising: creating one or more hierarchical tab chains to contain all user interface elements currently displayed by the application, wherein a node in a tab chain hierarchy is a container comprising one or more user interface elements and the container comprises a tab chain that contains all the user interface elements in the container (Windows XP places graphical user interface elements in containers; derived from page 37; screen captures, figure 2); creating a new view creates a view container with a hierarchical tab chain that contains all the user interface elements for the new view (when the user activates the control keystroke the graphical user interface element display panel is activated from the operating system as shown in figure 2); and the hierarchical tab chain for the new view is added to the existing tab chain by adding a new node for the new view container in the existing hierarchical tab chain (when the user opens a new application an icon indicative to the corresponding application is added to figure 2 display element).

3. Claims 4-6 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft Excel 2002 version 3.0.6926 SP-3).

As for independent claims 4 and 10, Microsoft teaches a computer implemented method for navigating editable cells of a table, the method comprising: detecting a user navigation input comprising a forward navigation input or a backward navigation input, the forward navigation input comprising first group identifier key press and backward navigation input comprising a second group identifier key press; if the detected user

navigation input is the forward navigation key, shifting input focus to a next editable cell of the table; and if the detected navigation input is the backward navigation input, shifting input focus to a previous editable cell of the table (fig.3; wherein the user presses keyboard keys to navigate through editable cells. As seen in figure two when the user presses ALT on the keyboard this navigation control corresponds to the first group of control elements as indicated by under scoring letters of controls (file, edit, insert, format, tools, window, help) therefore the ALT key is correlated with a group identifier to relate to the group of controls. The ALT key being that of the parent navigation control where ALT is combined with a letter (X) that corresponds to a control UI element. A sibling navigation key being an arrow key on the keyboard to navigation control UI elements inside of a group of controls. The second group identifier is defined when the user selects a parent control from the parent group, for example when the user presses the key combination ALT+T it is identified with the control group that consist of the control elements (Spelling and grammar, language, word count, auto summarize, etc...) thus making a group identifier as indicated by the figure and explained by Karp (pages 557-558). So in summarization Karp teaches of navigational controls wherein parent navigational controls when activated are identified as having a group of sibling control UI elements and sibling navigational controls, which are identified by the parent navigational control groups. Thus therefore when the user activates a parent control to display sibling control group the group identification is evident or else a random menu or crossed menus (file control is activated and tools sibling group is displayed) would be displayed if there were not any identification means

included.).

As for dependent claims 5,6,11 and 12, Microsoft teaches the method of claim 4, further comprising: switching the editable cell to the edit mode, if a switch-cell-mode key is pressed while an editable cell currently having input focus is not in an edit mode; wherein user input modifies content of the editable cell, if the editable cell is in the edit mode; switching the editable cell to a focus mode, in which the content of the editable cell cannot be modified, if a switch-cell-mode key is pressed while the editable cell currently having input focus is in the edit mode (fig.4; wherein the user selects the editable cell and presses the locked option to make the cell non-editable).

(Note:) It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).

Response to Arguments

Applicant's arguments filed 10/17/2007 have been fully considered but they are not persuasive.

A1. Applicant argues that Karp (Karp teaches the use of Windows XP in general) does not teach a sibling navigation input, which includes a first group identifier key press. The Applicant believes that Windows XP does not have group identifiers which the Examiner asserted in the previous action.

R1. After careful review of the amended limitations along with the remaining limitations previous presented the Examiner does not agree with the Applicant in the

aspect that Windows XP as commonly known in the art exhibits and makes use of identifiers. The Examiner provides additional references which exhibit what was commonly known in the art (http://www.delphi3000.com/articles/article_1667.asp?SK=), herein referred to as "Delphi", to support the Examiners assertion that group identifiers are commonly known and widely used in the art, especially in that of Windows XP which is taught by Karp. As what is commonly known in the art and is explained throughout the entire reference of Karp is the navigation and use of Windows XP, in such that focus is brought upon a parent control ("Tools" figure 3 of "Microsoft Windows XP Operating System" screen shot reference handout) for navigation using predefined controls for navigation. As explained in Karp on pages 558, 560, 562 and 563 parent navigation controls are defined to navigate between parent controls (by using the left and right arrows on the keyboard; only the parent controls are accessed by using these keys, no other controls are accessed (child controls in particular are inaccessible through the left and right arrow keys). The user can then use child navigation input controls (up and down arrows as discussed by Karp on pages 558, 560, 562 and 563 for navigation of child controls only, by inputting with up and down arrow keys only child navigation controls are selected. Thus focus is on a graphical container ("Tools"), which includes (when activated upon) a plurality of child controls associated with the parent control ("Tools") as what is commonly known in the art is that the containers (which are all objects ("Tool" menu button along with (e.g. File, Edit, View, Spelling and Grammar... Language, Word Count..., etc) of the graphical user interface (Windows Shell) ([http://en.wikipedia.org/wiki/Container_\(data_structure\)#Graphic_Containers](http://en.wikipedia.org/wiki/Container_(data_structure)#Graphic_Containers) and

http://en.wikipedia.org/wiki/Windows_shell) wherein the containers, objects, etc are all uniquely identified (as exhibited by Delphi). Thus the group associated with the parent control "Tools" are in a container (as rendered to the display (figure 3) with an identifier associated with that container (as exhibited by Delphi) thus forming a group, therefore "group identifier". Therefore when the user has input focus on a Parent or Child control list basic navigation using predetermined keys (up/down or left/right arrow of the keyboard) provide parent and sibling navigation input, which include a second group identifier key press and a first group identifier key press, respectively.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


N. Augustine
January 3, 2008

Nicholas Augustine
Examiner
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